

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : Mireia Hernandez Estaban  
Application No. : 10/553,646  
Filing Date : December 19, 2005  
Art Unit : 2854  
Confirmation No. : 1441  
Examiner : CULLER, JILL E  
TITLE : Method, device and container for dosing ink

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT  
BASED ON FAILURE TO RECEIVE OFFICE ACTION**

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The Applicant respectfully requests that the Holding of Abandonment for the above referenced application be reconsidered and withdrawn in accordance with 37 CFR 1.181 and MPEP 711.03(c).

Attached is a copy of the Declaration filed that identifies this application should be associated with customer number 22440. Also attached is a copy of the Notice of Acceptance issued for this application that was mailed to Leonard R. Nitzberg. This was discovered during a status check on the USPTO's Private


Pair. At the same time, the Office Action and the Notice of Abandonment were also discovered.

Although no fee is deemed necessary, the Commissioner is authorized to charge Deposit Account 07-1730 for any fees that may be required.

Respectfully submitted,

GOTTLIEB, RACKMAN & REISMAN, P.C.  
Attorneys for Applicant  
270 Madison Avenue  
New York, New York 10016  
Phone: (212) 684-3900  
Fax: (212) 684-3999

Date: May 08, 2008

  
\_\_\_\_\_  
Tiberiu Weisz (Reg. No. 29,876)

**COMBINED DECLARATION AND POWER OF ATTORNEY**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**PROCESS, DEVICE AND CONTAINER FOR DISPENSING INKS**

, the specification of which (*check one*) ☒ is attached hereto. ☒ was filed on April 16, 2004, as United States Application Serial No. \_\_\_\_\_ or PCT International Application No. PCT/ES2004/000168, and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 (a)-(d) or (f), or 365 (b), of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below, and I have also identified below any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority claimed

<u>P200300953</u>	<u>EP (Spain)</u>	<input checked="" type="checkbox"/>
(Number)	(Country)	(Day/month/year filed) Yes No

_____	_____	_____	Yes No
(Number)	(Country)	(Day/month/year filed)	

_____	_____	_____	Yes No
(Number)	(Country)	(Day/month/year filed)	

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

_____	_____
(Application No.)	(Filing Date)

_____	_____
(Application No.)	(Filing Date)

_____	_____
(Application No.)	(Filing Date)

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application No.)	(Filing date)	(Status: patented, pending, abandoned)
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(Application No.)	(Filing date)	(Status: patented, pending, abandoned)
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(Application No.)	(Filing date)	(Status: patented, pending, abandoned)
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

And I hereby appoint, jointly and severally, all of the practitioners associated with **Customer Number 22440** as my attorneys and/or agents, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. Direct all correspondence and telephone calls to **Tiberiu Weisz** at the address and telephone number associated with the Customer Number identified above.

Full name of sole inventor HERNANDEZ ESTEBAN, Mireia

Inventor's Signature  MIREIA HERNANDEZ ESTEBAN Date 13/10/2005

Residence C/Maria Cubí, 3er C. E - 08006 Barcelona, Spain

Citizenship Spain

Post Office Address same as above



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/553,646	FIRST NAMED APPLICANT Mireia Hernandez Estaban	ATTY. DOCKET NO. 6647/011
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INTERNATIONAL APPLICATION NO.

PCT/ES04/00168

I.A. FILING DATE

04/16/2004

PRIORITY DATE

04/16/2003

2240  
 LEONARD R. NITZBERG  
 1413 BUCKEYE LANE  
 KNOXVILLE, TN 37919

CONFIRMATION NO. 1441

371 ACCEPTANCE LETTER



\*OC000000020270145\*

Date Mailed: 09/01/2006

## NOTICE OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C 371 AND 37 CFR 1.495

The applicant is hereby advised that the United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495), has determined that the above identified international application has met the requirements of 35 U.S.C. 371, and is ACCEPTED for national patentability examination in the United States Patent and Trademark Office.

The United States Application Number assigned to the application is shown above and the relevant dates are:

<u>12/19/2005</u>	<u>12/19/2005</u>
DATE OF RECEIPT OF 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) REQUIREMENTS	DATE OF COMPLETION OF ALL 35 U.S.C. 371 REQUIREMENTS

A Filing Receipt (PTO-103X) will be issued for the present application in due course. **THE DATE APPEARING ON THE FILING RECEIPT AS THE " FILING DATE" IS THE DATE ON WHICH THE LAST OF THE 35 U.S.C. 371 (c)(1), (c)(2) and (c)(4) REQUIREMENTS HAS BEEN RECEIVED IN THE OFFICE. THIS DATE IS SHOWN ABOVE. The filing date of the above identified application is the international filing date of the international application (Article 11(3) and 35 U.S.C. 363).** Once the Filing Receipt has been received, send all correspondence to the Group Art Unit designated thereon.

The following items have been received:

- Indication of Small Entity Status
- Copy of the International Application filed on 10/14/2005
- Copy of the International Search Report filed on 10/14/2005
- Preliminary Amendments filed on 10/14/2005
- Information Disclosure Statements filed on 10/14/2005
- Oath or Declaration filed on 12/19/2005
- Small Entity Statement filed on 10/14/2005
- U.S. Basic National Fees filed on 10/14/2005
- Priority Documents filed on 10/14/2005

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Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

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SHELBY J VIGIL

Telephone: (703) 308-9140 EXT 224

PART 3 - OFFICE COPY

FORM PCT/DO/EQ/903 (371 Acceptance Notice)